

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as required by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

(a) PLAINTIFFS

Reno Rudi

(b) County of Residence of First Listed Plaintiff Philadelphia PA
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Jason Rettig
100 W. Monument Ave
Hatboro PA 19040
267-879-9054

DEFENDANTS

Legal Prevention Services, LLC and John Cordova, individually

County of Residence of First Listed Defendant Eric NY

NOTE: (IN U.S. PLAINTIFF CASES ONLY)
IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

I. BASIS OF JURISDICTION (Place an "X" in One Box Only)

 1 U.S. Government Plaintiff 3 Federal Question
(U.S. Government Not a Party) 2 U.S. Government Defendant 4 Diversity
(Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

Citizen of This State

PTF

 1

DEF

Incorporated or Principal Place of Business In This State

PTF

DEF

Citizen of Another State

PTF

DEF

Incorporated and Principal Place of Business In Another State

PTF

DEF

 5

Citizen or Subject of a Foreign Country

PTF

DEF

Foreign Nation

PTF

DEF

V. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT

- 110 Insurance
- 120 Marine
- 130 Miller Act
- 140 Negotiable Instrument
- 150 Recovery of Overpayment & Enforcement of Judgment
- 151 Medicare Act
- 152 Recovery of Defaulted Student Loans (Excludes Veterans)
- 153 Recovery of Overpayment of Veteran's Benefits
- 160 Stockholders' Suits
- 190 Other Contract
- 195 Contract Product Liability
- 196 Franchise

REAL PROPERTY

- 210 Land Condemnation
- 220 Foreclosure
- 230 Rent Lease & Ejectment
- 240 Torts to Land
- 245 Tort Product Liability
- 290 All Other Real Property

TORTS

- | | |
|--------------------------------------------------------------------|--------------------------------------------------------------------------------------------|
| PERSONAL INJURY | PERSONAL INJURY |
| <input type="checkbox"/> 310 Airplane | <input type="checkbox"/> 365 Personal Injury - Product Liability |
| <input type="checkbox"/> 315 Airplane Product Liability | <input type="checkbox"/> 367 Health Care/ Pharmaceutical Personal Injury Product Liability |
| <input type="checkbox"/> 320 Assault, Libel & Slander | <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability |
| <input type="checkbox"/> 330 Federal Employers' Liability | PERSONAL PROPERTY |
| <input type="checkbox"/> 340 Marine | <input type="checkbox"/> 370 Other Fraud |
| <input type="checkbox"/> 345 Marine Product Liability | <input type="checkbox"/> 371 Truth in Lending |
| <input type="checkbox"/> 350 Motor Vehicle | <input type="checkbox"/> 380 Other Personal Property Damage |
| <input type="checkbox"/> 355 Motor Vehicle Product Liability | <input type="checkbox"/> 385 Property Damage Product Liability |
| <input type="checkbox"/> 360 Other Personal Injury | |
| <input type="checkbox"/> 362 Personal Injury - Medical Malpractice | |

FORFEITURE/PENALTY

- 625 Drug Related Seizure of Property 21 USC 881
- 690 Other

BANKRUPTCY

- 422 Appeal 28 USC 158
- 423 Withdrawal 28 USC 157

OTHER STATUTES

- 375 False Claims Act
- 400 State Reapportionment
- 410 Antitrust
- 430 Banks and Banking
- 450 Commerce
- 460 Deportation
- 470 Racketeer Influenced and Corrupt Organizations
- 480 Consumer Credit
- 490 Cable/Sat TV
- 550 Securities/Commodities/ Exchange
- 890 Other Statutory Actions
- 891 Agricultural Acts
- 893 Environmental Matters
- 895 Freedom of Information Act
- 896 Arbitration
- 899 Administrative Procedure Act/Review or Appeal of Agency Decision
- 950 Constitutionality of State Statutes

LABOR

- 710 Fair Labor Standards Act
- 720 Labor/Management Relations
- 740 Railway Labor Act
- 751 Family and Medical Leave Act
- 790 Other Labor Litigation
- 791 Employee Retirement Income Security Act

SOCIAL SECURITY

- 861 HIA (1395ff)
- 862 Black Lung (923)
- 863 DIWC/DIWW (405(g))
- 864 SSID Title XVI
- 865 RSI (405(g))

FEDERAL TAX SUITS

- 870 Taxes (U.S. Plaintiff or Defendant)
- 871 IRS—Third Party 26 USC 7609

IMMIGRATION

- 462 Naturalization Application
- 465 Other Immigration Actions

VI. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding
- 2 Removed from State Court
- 3 Remanded from Appellate Court
- 4 Reinstated or Reopened
- 5 Transferred from Another District
- 6 Multidistrict Litigation (specify)

VII. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
15 U.S.C. 1692Brief description of cause:
FDCPA Violation

VIII. REQUESTED IN COMPLAINT:

 CHECK IF THIS IS A CLASS ACTION
UNDER RULE 23, F.R.Cv.P.

DEMAND \$ Statutory

CHECK YES only if demanded in complaint:
 Yes No

IX. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

/25/15

SIGNATURE OF ATTORNEY OF RECORD

[Signature]

OR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFFP

JUDGE

MAG. JUDGE

*[Signature]**[Signature]*

LFR

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF PENNSYLVANIA — DESIGNATION FORM to be used by counsel to indicate the category of the case for the purpose of assignment to appropriate calendar.

15-0-902

15

902

Address of Plaintiff:

Address of Defendant: 485 Cayuga Rd Hanger Bay 4-2 Cheektowaga NY 14225

Place of Accident, Incident or Transaction: Philadelphia PA

(Use Reverse Side For Additional Space)

Does this civil action involve a nongovernmental corporate party with any parent corporation and any publicly held corporation owning 10% or more of its stock?
(Attach two copies of the Disclosure Statement Form in accordance with Fed.R.Civ.P. 7.1(a))Yes No

Does this case involve multidistrict litigation possibilities?

Yes No

RELATED CASE, IF ANY:

Case Number: _____ Judge _____ Date Terminated: _____

Civil cases are deemed related when yes is answered to any of the following questions:

1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court?

Yes No

2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court?

Yes No

3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action in this court?

Yes No

4. Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual?

Yes No

CIVIL: (Place ✓ in ONE CATEGORY ONLY)

A. Federal Question Cases:

1. Indemnity Contract, Marine Contract, and All Other Contracts
2. FELA
3. Jones Act-Personal Injury
4. Antitrust
5. Patent
6. Labor-Management Relations
7. Civil Rights
8. Habeas Corpus
9. Securities Act(s) Cases
10. Social Security Review Cases
11. All other Federal Question Cases
(Please specify) FDCPA

B. Diversity Jurisdiction Cases:

1. Insurance Contract and Other Contracts
2. Airplane Personal Injury
3. Assault, Defamation
4. Marine Personal Injury
5. Motor Vehicle Personal Injury
6. Other Personal Injury (Please specify)
7. Products Liability
8. Products Liability — Asbestos
9. All other Diversity Cases

(Please specify) _____

I, Jason Letting,

ARBITRATION CERTIFICATION

(Check Appropriate Category)

 Pursuant to Local Civil Rule 53.2, Section 3(c)(2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs;

Relief other than monetary damages is sought.

DATE: 2/25/15_____
Attorney-at-Law200948_____
Attorney I.D.#

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

I certify that, to my knowledge, the within case is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: 2/25/15_____
Attorney-at-Law200948_____
Attorney I.D.#

CIV. 609 (5/2012)

LFR LFR

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIACASE MANAGEMENT TRACK DESIGNATION FORM

Reno Rudy

v.

Legal Prevention Services LLC

CIVIL ACTION

15

902

NO.

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a Case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a Case Management Track Designation Form specifying the track to which that defendant believes the case should be assigned.

SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:

- (a) Habeas Corpus – Cases brought under 28 U.S.C. § 2241 through § 2255. ()
- (b) Social Security – Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ()
- (c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 53.2. ()
- (d) Asbestos – Cases involving claims for personal injury or property damage from exposure to asbestos. ()
- (e) Special Management – Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) ()
- (f) Standard Management – Cases that do not fall into any one of the other tracks. (X)

2/20/15
DateJason Rettig
Attorney-at-lawReno Rudy
Attorney for
rettiglaw@yahoo.comTelephoneFAX NumberE-Mail Address

(Civ. 660) 10/02

2/23/2015

\$400

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LFR
IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

RENO RUDI,
PLAINTIFF,

v.

LEGAL PREVENTION SERVICES, LLC,
and JOHN CORDOVA, individually,
DEFENDANTS

15 902

Case No. _____

FILED

FEB 23 2015

MICHAEL E. KUNZ, Clerk
By *[initials]* Dep. Clerk

COMPLAINT AND JURY DEMAND

JURISDICTION

1. Jurisdiction of this Court arises under 28 U.S.C. § 1331 and 15 U.S.C. § 1692k(d).
2. This action arises out of the Defendant's violation of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, et seq. (hereinafter referred to as "FDCPA").

VENUE

3. Venue is proper in this judicial district pursuant to 28 U.S.C. § 1331(b), in that the Defendant transacts business in this District and a substantial portion of the acts giving rise to this action occurred in this District.
4. The Plaintiff resides in this Judicial District.

PARTIES

5. Plaintiff is a natural person, who at all relevant times resided in the State of Pennsylvania, County of Philadelphia.
6. Plaintiff is allegedly obligated to pay a debt due a creditor other than Defendant, and thus is a "consumer" as defined by the FDCPA, 15 U.S.C. § 1692a(3).

7. Plaintiff is a natural person allegedly obligated to pay any debt and is thus a “consumer” as defined by FCCPA §559.55(2).
8. Plaintiff’s alleged obligation asserted to be owed or due a creditor other than Defendant arises from a transaction or transactions in which the money, property, insurance, and/or services that are the subject of the transaction(s) were incurred primarily for personal, family or household purposes, and thus is a “debt” as defined by the FDCPA, 15 U.S.C. § 1692a(5). Specifically, Plaintiff believes the alleged debt is a credit card debt that was used for personal purposes.
9. The principal purpose of Defendant is the collection of debts using the mails and telephone and other means.
10. Defendant regularly collects or attempts to collect, directly or indirectly, debts owed or due or asserted to be owed or due another that arose out of transactions in which the money, property, or services which are the subject of the transactions in which the money, property or services which are the subject of the transactions are primarily for personal, family or household purposes.
11. Defendant is a “debt collector” as that term is defined by 15 U.S.C. § 1692a(6) and FCCPA § 559.55(6).
12. Defendant Legal Prevention Services, LLC (“LPS”) is a New York company believed to be operating from Erie County, New York.
13. Defendant LPS can be served at its location, 485 Cayuga Rd., Hangar Bay 4-2, Cheektowaga, NY 14225.

14. The principal purpose of Defendant is the collection of debts using the mails and telephone and other means.
15. Defendant LPS regularly collects or attempts to collect, directly or indirectly, debts owed or due or asserted to be owed or due another that arose out of transactions in which the money, property, or services which are the subject of the transactions in which the money, property or services which are the subject of the transactions are primarily for personal, family or household purposes.
16. Defendant John Cordova ("Cordova") is an individual who, as late as April 2012 is known to have been residing at 24 Nina Terrace, West Seneca, New York 14224.
17. Defendant Cordova is or was a principal officer and/or owner of Defendant LPS.
18. Defendant Cordova may be served wherever he may be found.

FACTUAL ALLEGATIONS

19. Sometime prior to the filing of this Complaint, Plaintiff allegedly incurred a financial obligation that was used primarily for personal, family or household purposes (hereinafter the "Account"). Specifically, Plaintiff believes the account was a medical loan.
20. The Account allegedly went into default with the original creditor prior to the filing of this Complaint.
21. After the Account allegedly went into default, the Account was placed with or otherwise transferred to Defendant LPS for collection.
22. The Account constitutes a "debt" as that term is defined by 15 U.S.C. § 1692a(5).
23. The Plaintiff disputes the Account.

24. The Plaintiff requests that Defendant LPS cease all further communication on the Account.
25. Defendant LPS's collector(s) were employee(s) of Defendant LPS at all times mentioned herein.
26. Defendant LPS acted at all times mentioned herein through its employee(s).
27. During the one year prior to the date of the filing of this Complaint, Defendant LPS and/or representative(s), employee(s) and/or agent(s) of Defendant LPS made telephone calls to the Plaintiff to collect the Account and Plaintiff made one or more return calls to Defendant LPS at which time(s) LPS attempted to collect the Account.
28. In one voicemail left by Defendant LPS on Plaintiff's telephone's voicemail system in approximately January 2015, Defendant said:

This message is for Reno Rudi. This is Tori calling with Legal Prevention Services. I'm calling in regards to a pending claim that is being filed here in my office. Your claim number is US 279668. Please have you or your legal representative contact me back to provide your statement of intent at 866-413-2918 extension 203.

29. In a return call to Defendant LPS after receiving the voicemail referenced in Paragraph 31 above, Defendant LPS's employees told Plaintiff:
 - a. "We retain the right to pursue a contract that was placed in our office."
 - b. "Chain of title was forwarded."
 - c. "You're account is in a pre-legal status."
 - d. "We have an attorney on site that makes a decision."
 - e. "We're wondering if we should work with you voluntarily or if we should take further action."

- f. When Plaintiff asked defendant "What does that mean?" Defendant replied, "What do you think that means? This is not a game or a joke."
 - g. "When they purchased the debt, they reserved the right to litigate if need be."
 - h. "Our job is to find out if your intentions are to resolve this on a voluntary basis."
 - i. "The owners...decide if they want to pursue legally or not."
30. The Account defaulted in 2010 and any claim on the Account by the Account owner is, and was at the time of the voicemail referenced in paragraph 31 above, barred by the applicable statute of limitation.
31. Despite the fact that any legal action on the Account is barred by the applicable statute of limitation, Defendant's employees said the things described in Paragraphs 31 and 32 above in order to cause Plaintiff to believe that the filing of a lawsuit against him was imminent and to cause fear in Plaintiff in hopes that he would make a payment on the alleged, time-barred debt.
32. Because the statute of limitation bars any action on the Account, Defendant LPS's implication of legal action was false and misleading and deceptive because neither Defendant nor the owner of the Account has commenced and cannot commence legal action against Plaintiff.
33. Further, in both the voicemail referenced in paragraph 31 above and the conversation described in paragraph 32 above, Defendant failed to inform Plaintiff that the communication was from a debt collector and failed to inform Plaintiff that the communication was an attempt to collect a debt and that any information obtained would be used for the purpose of debt collection.

34. The voicemails and telephone calls with Plaintiff described herein conveyed information regarding the Account directly or indirectly to the Plaintiff.
35. Each voicemail and telephone call with Plaintiff described herein constituted a "communication" as defined by FDCPA § 1692a(2).
36. The only reason that Defendant LPS and/or representative(s), employee(s) and/or agent(s) of Defendant LPS communicated with Plaintiff was to attempt to collect the Account
37. The statements and actions of Defendant LPS and its representative(s), employee(s) and/or agent(s) constitute illegal communication in connection with debt collection and violate 15 U.S.C. § 1692(d)(2)&(5) and 15 U.S.C. § 1692e(2)(A)&(3)&(5)& (10)&(11).
38. Defendant Cordova, upon information and belief, at all times relevant to the allegations herein, had direct control and oversight over the conduct of the employees of Defendant LPS complained of herein.
39. All of the conduct by Defendant LPS and Defendant Cordova and/or employees and/or agents alleged in the preceding paragraphs was done knowingly and willfully.
40. As a consequence of Defendant LPS's and Defendant Cordova's collection activities and communication(s), the Plaintiff seeks damages pursuant to 15 U.S.C. § 1692k(a).
41. The conduct of Defendant LPS and Defendant Cordova as described above was done knowingly and willfully and purposefully.

RESPONDEAT SUPERIOR

42. The representative(s) and/or collector(s) at Defendant LPS were employee(s) of Defendant LPS and acted at the direction of Defendant Cordova at all times mentioned herein.
43. The representative(s) and/or collector(s) at Defendant LPS were agent(s) of Defendant LPS and Defendant Cordova at all times mentioned herein.
44. The representative(s) and/or collector(s) at Defendant LPS were acting within the scope and course of their employment and at the direction of Defendant Cordova at all times mentioned herein.
45. The representative(s) and/or collector(s) at Defendant LPS were under the direct supervision of Defendant LPS and under the supervision of Defendant Cordova at all times mentioned herein.
46. The representative(s) and/or collector(s) at Defendant LPS were under the direct control of Defendant LPS and under the control of Defendant Cordova at all times mentioned herein.
47. The actions of the representative(s) and/or collector(s) at Defendant LPS are imputed to their employer, Defendant LPS and to the owner of Defendant LPS, Defendant Cordova.

COUNT I: VIOLATIONS OF THE FDCPA 15 U.S.C. § 1692, et seq.

48. The previous paragraphs are incorporated into this Count as if set forth in full.
49. The act(s) and omission(s) of Defendant LPS and Defendant Cordova and their representative(s), employee(s) and/or agent(s) violated 15 U.S.C. § 1692(d)(2)&(5) and 15 U.S.C. § 1692e(2)(A)&(3)&(5)&(10)&(11).

50. Pursuant to 15 U.S.C. § 1692k the Plaintiff seeks damages, reasonable attorney's fees and costs.

JURY TRIAL DEMAND

51. The Plaintiff is entitled to and hereby demands a trial by jury.

DEMAND FOR RELIEF

WHEREFORE, the Plaintiff requests that the Court grant the following:

52. Judgment in favor of the Plaintiff and against Defendant Legal Prevention Services, LLC and John Cordova as follows:

- a. Statutory damages in the amount of \$1,000.00 pursuant to 15 U.S.C. § 1692k(a)(2).
- b. Actual damages pursuant to 15 U.S.C. 1692k(a)(1).
- c. Reasonable attorneys fees and costs pursuant to 15 U.S.C. § 1692k(a)(3).
- d. Such other and further relief as the Court deems just and proper.

Respectfully submitted,



JASON M. RETTIG, PABN 200948
100 WEST MONUMENT AVE
HATBORO, PA 19040
(267) 879-9054
Attorney for Plaintiff RENO RUDI